

NEW JERSEY  
BOARD OF ACCOUNTANCY  
JANUARY 4, 2005

CERTIFIED TRUE COPY

FILED

PETER C. HARVEY  
ATTORNEY GENERAL OF NEW JERSEY  
Division of Law - 5<sup>th</sup> Floor  
124 Halsey Street  
P.O. Box 45029  
Newark, New Jersey 07101

By: Marianne W. Greenwald  
Deputy Attorney General  
Tel. No. (973) 648-4876

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF ACCOUNTANCY

IN THE MATTER OF THE SUSPENSION  
OR REVOCATION OF THE LICENSE OF

JOSEPH LUPARELLA, CPA

TO PRACTICE ACCOUNTANCY IN THE  
STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Accountancy upon receipt of information that on or about April 5, 2004 respondent was found guilty following a trial of four (4) counts of a five (5) count Indictment which charges respondent with repeated acts of preparation of and causing to file fraudulent tax returns, and that on or about December 13, 2004 respondent was

sentenced to [ADD]. (Jury Verdict sheets, Indictment and Final; Judgment of Conviction attached hereto and made a part of this Order.) Notwithstanding respondent's intent to appeal the foregoing conviction, respondent wishing to voluntarily surrender his license to practice accountancy and acknowledging that the above described guilty verdict constitutes a crime involving moral turpitude and/or a crime relating adversely to the accounting profession contrary to N.J.S.A. 45:1-21(f) and the acts underlying the verdict constitute professional misconduct and the use of fraud, dishonesty, deception and misrepresentation contrary to N.J.S.A. 45:1-21(e) and (b), and respondent having agreed and consented to the resolution of this matter without the necessity of formal administrative proceedings available to the Board, and respondent understanding the terms and impact of the within Order, and it therefore appearing that due cause exists for the entry of the within Order;

IT IS THEREFORE on this 23rd day of December, 2004,  
ORDERED:

1. That the license of respondent to engage in the practice of public accountancy in the State of New Jersey shall be, and hereby is, surrendered to be deemed a revocation with no ability to apply for reinstatement prior to completion of the criminal sentence, including any period of probation or supervised release.

2. That respondent shall surrender to the State Board of Accountancy, 124 Halsey Street, Newark, New Jersey, his license to practice accountancy in the State of New Jersey, both the original certificate and the most current renewal.

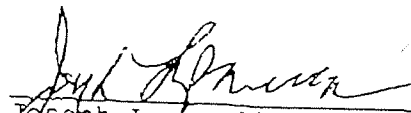
3. That upon the surrender of his license to practice accounting, respondent shall cease and desist the practice of public accountancy, as defined in N.J.S.A. 45:2B-44, in the State of New Jersey and shall not hold himself out as a certified public accountant of this State, unless and until his license is reinstated hereunder. \*

NEW JERSEY STATE BOARD OF ACCOUNTANCY

By: 

Andrew DuBoff, CPA  
Board President

I have read the within Order and understand its terms. I consent to its entry and agree to be bound by its terms.



Joseph Luparella, C.P.A.  
Respondent

\* As per the attached addendum, which is intended to clarify and specify the ramifications of respondent's license surrender hereunder without imposing any additional ramifications.



RICHARD J. CODEY  
Acting Governor

State of New Jersey  
OFFICE OF THE ATTORNEY GENERAL  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF LAW  
PO Box 45029  
NEWARK, NJ 07101

PETER C. HARVEY  
Attorney General

December 6, 2004

David W. Fassett, Esq.  
Arseneault, Fassett & Mariano, LLP  
560 Main Street  
Chatham, New Jersey 07928

Re: Joseph A. Luparella, CPA

Dear Mr. Fassett:

Per our recent telephone conversations, this letter will serve as an addendum to the Consent Order which Mr. Luparella has agreed to execute promptly after his sentencing hearing.

Numbered paragraph 3 of the Consent Order provides in pertinent part that Mr. Luparella "shall cease and desist the practice of public accountancy, as defined in N.J.S.A. 45:2B-44, in the State of New Jersey. I have reviewed the listing of services currently offered by Luparella & Associates, LLC as described on its website and attached to your letter of December 2, 2004. This letter will confirm that the revocation of Mr. Luparella's license will not preclude or limit Mr. Luparella from performing those services (so long as he does not represent himself to be a licensee) except as follows:

"Audits, Reviews, Compilations, Financial Forecasts, and Projections" - Mr. Luparella will not be able to perform any such services;

"Financial Statements" - Mr. Luparella may prepare such statements but may not issue the cover letter accompanying such statements;



December 6, 2004  
Page 2

"Accounting Services" and Forensic Accounting" - Mr. Luparella may perform such services but may not designate them as "accounting" services; and

"Expert Witness Services" and "Litigation Support" - Mr. Luparella may perform such services but must disclose his revocation to his clients before doing so.

Additionally, you have informed me that Mr. Luparella is the sole shareholder of Luparella & Associates, LLC, which employs only himself and his secretary (and does not, therefore, employ any other accountants, licensed or unlicensed). This letter will confirm that the revocation of his license will not require Mr. Luparella to change the LLC so long as the LLC does not represent itself to be an "accounting" firm and neither he nor the LLC represents himself to be a licensee. This letter will also confirm that the revocation of his license will not preclude Mr. Luparella or the LLC for contracting with independent licensees to perform "public accountancy" services on behalf of LLC clients so long as those clients authorize in writing such third-party services and are fully informed said services are not the product of the LLC.

Thank you for your continued cooperation in this matter.

Sincerely yours,

PETER C. HARVEY  
ATTORNEY GENERAL OF NEW JERSEY

By: Marianne W. Greenwald  
Marianne W. Greenwald  
Deputy Attorney General

MWG:pjb

## Luparella & Associates, LLC

Page 1 of 2

### Luparella & Associates, LLC

Our firm offers a wide range of services to our individual and business clients. Because our firm is relatively small, our clients benefit by getting personalized, quality service that is beyond comparison. Below we have listed the services that we offer to our clients along with a brief description.

As the list below is by no means all-inclusive, please feel free to inquire about a service if you do not see it listed. If it is not a service we provide, we would be more than happy to refer you to a qualified professional.

(Click Service Title For Details)

- Accounting Services
- Forensic Accounting
- Financial Forecasts & Projections
- Tax Services
- IRS Representation
- Payroll Services
- Estate & Trust Tax Preparation
- Business Valuations
- Fraud Prevention & Detection
- Financial Planning
- Management Advisory Services
- Pension & Profit Sharing Plans
- Debt & Financing Services
- Other Services
- Asset Protection
- Expert Witness Services
- Litigation Support
- Audits, Reviews and Compilations
- Financial Statements
- Cash Flow & Budgeting Analysis
- Tax Planning & Preparation
- International Taxation
- Sales Tax Services
- Consulting Services
- Buying & Selling a Business
- Estate Planning
- Retirement Planning
- Business Consulting
- Investment Review
- Business Entity Selection
- Mergers & Acquisitions
- Bankruptcies
- Employee Benefit Plans

### Accounting Services

Providing financial information to our clients in a timely and accurate manner is a commitment that we feel can not be compromised. Meaningful, well-organized financial records ensure that your business operations will run more efficiently on a daily basis. Our firm provides a full range of cost effective accounting services including the following:

- \*General ledger & financial statement preparation
- \*Bookkeeping (Monthly/Quarterly/Annual)
- \*Accounting system setup for new businesses
- \*Computerized payroll services
- \*Business tax return preparation (Sales & Use/Business Property)
- \*Personal financial statements
- \*Litigation support